

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

ANGEL SUAREZ §
PLAINTIFF, §
§
V. § CIVIL ACTION NO. 5:18-cv-01237
§
§
IHEARTMEDIA + ENTERTAINMENT, INC. §
DEFENDANT. §

DEFENDANT IHEARTMEDIA + ENTERTAINMENT, INC.'S
NOTICE OF REMOVAL

TO THE HONORABLE UNITED STATES DISTRICT COURT JUDGE:

Comes now Defendant IHEARTMEDIA + ENTERTAINMENT, INC. (hereinafter collectively referred to as "Defendant"), and files this Notice of Removal, removing the State Court action described below, and in support therefore respectfully shows the Court as follows:

I.
BASIS OF REMOVAL

This removal is filed pursuant to 28 U.S.C. §§ 1331 and 1441 (a and/or c), in that Defendant asserts Plaintiff has alleged violations of federal antitrust law, as codified in the Sherman Act sections 1 and/or 2, 15 U.S.C. §§ 1-2, and/or the Clayton Act section 7, 15 U.S.C. § 18, thereby conferring federal question jurisdiction upon this Court. Defendant cites the following facts and law supporting removal, and in so doing expressly reserves all other questions for the purpose of future pleadings.

II.
FACTS AND LAW SUPPORTING REMOVAL

Plaintiff ANGEL SUAREZ ("Plaintiff") filed this action on November 2, 2018 against IHEARTMEDIA + ENTERTAINMENT, INC. in the 225th Judicial District Court of Bexar County,

Texas, docketed under Cause No. 2018-CI-21080 (hereinafter referred to as the “State Court Action”). In the State Court Action, Plaintiff alleges Defendant engaged in “monopoly practices based on USA antitrust laws.” A copy of all process and pleadings filed and/or served in the action are attached.

The aforementioned allegations present a federal question of alleged violations of the Sherman Act sections 1 and/or 2, 15 U.S.C. §§ 1-2, and/or the Clayton Act section 7, 15 U.S.C. § 18. Service of the pleading giving notice of these allegations was affected on or about November 9, 2018, and thus this Notice of Removal is timely filed pursuant to 28 U.S.C. § 1446(b) in that it is filed within thirty (30) days from the date on which Defendant was served.

This is a civil action over which this Court has original jurisdiction under 28 U.S.C. § 1331, and is one which may be removed to this Court by Defendant pursuant to the provisions of 28 U.S.C. § 1441(a and/or c) in that it is a civil action arising under the laws of the United States.

Pursuant to 28 U.S.C. § 1446(a), the District and Division where this action is pending is the U.S. District Court for the Western District of Texas, San Antonio Division, and Defendant properly seeks to remove this action to this Court.

III.
NOTICE PROVIDED TO STATE COURT

Pursuant to 28 U.S.C. § 1446(d), Defendant will promptly file a copy of this Notice of Removal with the Clerk of the District Court of Bexar County, Texas.

IV.
CONCLUSION

This Court has original jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1441(a and/or c) because it is an action based on a federal question.

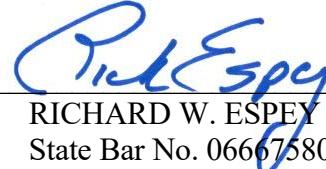
V.
PRAYER

WHEREFORE, Defendant hereby removes this action from the 225th Judicial District Court of Bexar County, Texas, to this Court.

Respectfully submitted,

ESPEY & ASSOCIATES, PC
12400 San Pedro Avenue, Suite 200
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By:



RICHARD W. ESPEY

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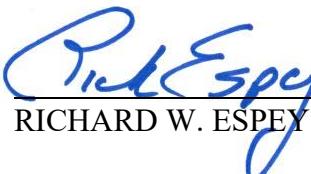
*service by email to this address only

ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document is being served in compliance with the FEDERAL RULES OF CIVIL PROCEDURE on November 28, 2018, on the following pro se party:

Angel Suarez
Easter Music
1410 Guadalupe, Ste. 114
San Antonio, Texas 78207
Pro Se Plaintiff



RICHARD W. ESPEY